



# SWAN

*Shan Women's Action Network Newsletter*

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## Shan woman MP tackles injustice along China's pipelines



Since construction of China's oil and gas pipelines across Burma began in 2010, there have been a host of complaints voiced by affected communities. One of the leading advocates for their rights has been a woman MP from northern Shan State called Nang Kham Aye.

Nang Kham Aye was elected to the Shan State Parliament in 2010, representing the Shan Nationalities Democratic Party. She is one of only nine women among 143 MPs in the Shan assembly. Her constituency is Namtu, one of six Shan townships along the route of the Chinese pipelines. Although a third of the 800-km pipelines pass through Shan State, the Shan parliament has had no say in the project, which was agreed upon between Burma's military rulers and China in 2008.

Nang Kham Aye first began receiving complaints about the pipelines from her constituents in 2011, when their lands were being confiscated for the project, and compensation was being organized by China National Petroleum Corporation (CNPC).

Farmers complained that the compensation was inadequate and unfair. The rate given in Namtu was 3.5 million kyat (about US\$3,500) per acre, less than a third of the rate being given to farmers in nearby Namkham. They also complained about corruption among local officials, who were demanding as much as 20% "commission" back from local villagers after compensation had been paid. Some community leaders and officials had also falsely claimed compensation, even though they had no land along the pipeline route.

Once construction actually began, there were further complaints. Compensation had only been given for the 100-foot wide corridor, but in fact damage spread far outside this area, due to soil dumping, and water blockage. When the pipelines were laid across the Namtu river, the earthworks for water diversion caused large-scale damage to orange orchards.

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## Message from SWAN

Nang Kham Aye responded by calling land survey officials to remeasure lands, check on actual ownership, and readjust compensation. When the officials refused to make any adjustments, she raised the issue in parliament, pressing the Shan State Agriculture Minister to investigate. The Minister arranged for new land measurement, and the results were sent to the capital Naypyidaw. This finally led to the Chinese company partially readjusting compensation.

However, the complaints did not end there. Villagers began reporting on alarming levels of negligence in laying the pipelines. Nang Kham Aye was taken to see damaged pipelines which had simply been patched up with flimsy pieces of rubber. Villagers voiced fears that there might be leaks or explosions when the gas started flowing.

Nang Kham Aye raised this issue in the Shan parliament in September 2012, asking for the Chinese company to take responsibility for any accidents or damage caused by the pipelines. She also raised concerns that local people were getting no benefit at all from the pipelines, despite bearing social and environmental costs. She demanded that 5% of the revenue from the pipelines should be spent on social services in Shan State. This motion was approved in the state assembly, but was never raised in the union parliament.

Finally, in April 2013, members of the 10,000 strong Northern Shan Farmers Committee went to the Shan State Parliament to push their concerns about the pipeline project, and asking for it to be stopped. The Chinese company responded by trying to get villagers along the pipeline to sign statements that they were satisfied with their compensation, and would not make any more claims for their rights. Villagers refused to sign.

In spite of this strong opposition to the project, both in and outside parliament, the Chinese began releasing gas through the pipelines in July 2013. Nang Kham Aye's constituents, like thousands of others living along the pipelines, are now condemned to live in perpetual fear of leakage or explosions.

Nang Kham Aye's experience highlights the limited powers of the Shan State parliament under Burma's current constitution, and the urgent need to hold investors accountable for the impacts of their projects. She is now calling publicly for local communities to be granted the right to Free Prior and Informed Consent for any new projects on their lands. ■

We are now two years into the new “peace process” in Shan State, and have little positive to report. Fighting is continuing in the north of the state, where several groups have yet to sign ceasefires, and even in areas where ceasefires are in place, there have been hundreds of armed clashes. Far from dismantling its massive military infrastructure and beginning troop withdrawal from Shan State, the Burmese Army is now aggressively expanding into “ceasefire areas.” Displacement is continuing, causing particular hardship for women and children.

At the same time, political talks to address ethnic demands for federalism have yet to begin, meaning that the grievances fuelling the 60-year civil war have yet to be addressed. However, the military-backed Burmese government has been proclaiming the success of the peace process to the international community, and has succeeded in having international sanctions lifted, and promoting large-scale investment in Burma, including in ethnic areas where conflict continues.

We regret that the international community is now clearly prioritizing its strategic and business interests over human rights and justice in Burma. Despite the ongoing civil war, foreign governments have embraced the new government, cancelled debt, stepped up bilateral aid, and are promoting investments by their corporations in areas where local communities are being denied their fundamental rights.

In short, the main “peace dividend” we are getting in Shan State is the increased carving up of our farmlands, rivers, mountains and forests by the military, cronies, and foreign investors, without regard for social and environmental sustainability. This is only going to fuel further conflict

We urge the international community to work towards genuine peace by taking a more neutral role in the peace process, rather than just siding with the government. Only by pressuring the government to stop its military aggression and hold political dialogue can there be hope of real peace. ■

# A struggle to gain ground

Land confiscation is a huge problem in Shan State, particularly in conflict areas, where the Burma Army has for decades been driving villagers off their land for “anti-insurgency” purposes. In 1996-1998, a massive forced relocation program uprooted over 300,000 people, most of whom fled to Thailand, and till today, large swathes of land remain deserted. Many hope one day to return to their lands when peace can be guaranteed, but face the challenge of proving ownership, as they do not possess land titles. Meanwhile, the Burmese military has begun selling these confiscated lands for their own profit.

SWAN interviewed a young Shan woman who fought back against the unjust sale of lands confiscated from her village since 1996. For security reasons, we cannot disclose her name or the name of her township.

**Q: How did you become involved in trying to get back your village’s land?**

A: My village was forcibly relocated in 1996 to the nearest town. Thousands of acres of land were seized by the Burmese troops. In 2012, they started selling it off to people in town. I learned they were selling a 60 sq ft plot of land to a man from the town for 1,200,000 kyat. I asked the land owner, a woman from my village: “Do you want to get back your land? Or will you let the military sell it to someone else?” I told her there was a way to try and get it back. She said, of course, she wanted it back but did not know how.

**Q: How did you go about getting back the land?**

A: First, the villagers needed information, and someone to guide them step by step. I was also afraid, but had to keep encouraging the villagers to have confidence to fight back. I provided information and they wrote a request letter with their signatures stating who owned the land and sent it to the village headman. The letter was then sent to the village quarter chief for endorsement, after which it was sent to the township general administration officer. After a few months, he raised this issue in a

meeting attended by the local military commander, and it was agreed that the land would be returned to the owners.

**Q: How many of the villagers got back their land?**

A: Five households have got back around two thirds of their land. Even though this is not many people, and they did not get all their land, it was a big success for us. These villagers also got land title deeds. But we are sad that not all villagers have got back their land. Many gave up their claims because of the difficulties.

**Q: What problems did you face during this process?**

A: There is no rule of law in Burma, especially in conflict areas, so we could be arrested and put in jail any time. There were many threats. The military came to the village and asked who was leading our campaign and whether we had support from outside. I had to ask the villagers not to mention my name. Also, we had no land titles proving ownership. Many villagers cannot read and write Burmese, so find it hard to understand legal terms, and are



afraid to go to their local government office. We tried to get help from local political parties, but there was no result.

**Q: What advice would you give to other villagers seeking to get back their lands?**

A: Villagers need to develop a strong sense of unity. Even if outside people help, it is the villagers themselves who have to stand up and fight back for their land. ■

# Building health awareness to save lives

**A SWAN health worker describes her experience providing reproductive health services in a remote conflict area of central Shan State.**

One day in 2007, when I was working as a teacher at my village, fighting suddenly broke out between Burmese and Shan troops nearby. I continued teaching amidst the sound of gunfire and shelling, but some parents came and took their children home. I was so worried that the fighting would come closer, and we would have nowhere to run. Luckily, the fighting did not enter the village.

After a few days, however, one of my six-year old students got a high fever. Our village is very far from the local town hospital. None of the villagers knew what was wrong with the boy. After seven days, he passed away. I thought to myself that if somebody had known the cause of his illness, he need not have died.

Our village is located in a rural area where there are no health centers or clinics; and no midwives or nurses. The poor roads and frequent fighting also make it difficult for villagers to travel to seek care outside our community. I therefore decided to try and study to become a health worker. Shortly afterwards I enrolled in a formal Auxiliary Nurse Midwife (AMW) training course, organized by the government.

I went to study in the local township center of Kunhing. The six-month course was run by the local hospital. I was lucky because my parents were willing to support the costs for tuition, food, and accommodation while I was studying in town. After graduating, in 2008, I was not assigned to work in any area by the local health authorities.



**Shan language ipchart**

Therefore I decided to return to my home village, and on my own, began helping people around there obtain basic curative care, as there were no health centers in our area. Although my training did not officially allow me to provide medical care, villagers knew I had been trained and started to consult me when they were ill.

In February 2011, however, I was invited to join a reproductive health training run by SWAN. It focused on raising community health awareness, by disseminating information and providing preventive health services to improve the health status of women and children. I learned that, although providing curative care is very important, health workers also need to devote time to educating people on how to take care of themselves and their families, in order to prevent illness. The training also made me realize that sitting at home, waiting for patients to come and

visit me for curative care, would not help promote health awareness among the community.

I realized I should begin to conduct outreach health activities. With the help of friends who had also graduated from the AMW training program, and who later joined SWAN trainings, we began to organize education sessions dealing with reproductive health care and health prevention topics in many communities throughout the rural Kunhing area.

I'd like to share an experience that occurred in August 2010. At around midnight two people from a nearby village knocked at my door and asked me to go immediately and take care of a pregnant woman who had already gone into labor. When I arrived, I realized that the woman's baby was not in a normal position. The woman's husband was also not at home. Since it was impossible for the delivery to continue at home,

another villager and I decided to take the patient to the township hospital. As there were no motorized vehicles in the village, we had to travel by ox-cart. It was the rainy season and the dirt-road to the town was at times almost impassable. It took us 3 ½ hours to reach the hospital. When we eventually arrived, the unborn child had already died in the womb.

The expectant mother could not speak Burmese and the hospital staff could not speak Shan, so it was difficult for them to communicate with one another. Since I had previously studied at this hospital, the staff asked me to stay and help care for the patient. I remained with her for five days. Her treatment cost more than 500,000 kyat, which she could not afford. Her father was forced to sell his rice before it was ripe, and thus received far less money than if he had waited until harvest time. Once again, I thought to myself that this situation could have been avoided if I had seen this woman during pregnancy and had provided regular ante-natal examinations. But she had not come to visit me, and I did not know that she was pregnant.

I later learned that this woman had received only one ante-natal examination, early on in her pregnancy. She had gone to visit a government midwife in the township center, but did not have the time or money to do so later in her pregnancy. When I had visited her village as part of my outreach schedule, she was never at home, so I was not able to provide any advice to her. This woman was what is known as a “high risk mother” as she was short in stature, and this was also her first pregnancy. Furthermore, when she went into labor most people from her village had gone off to their

farms, so nobody was able to assist her. As a sequel to this story, I visited this woman regularly for a two-week period at her home to provide post-partum care, but of course there was no way to relieve her sorrow from losing her first child before it was even born.



Two months ago, in June 2013, I attended my third SWAN-sponsored reproductive health training course in Thailand. SWAN has, over the past two years, been for many AMWs living in Shan State the only source of technical training and support. Prior to this year’s three-week training session the SWAN health coordinator contacted all the former participants to ask our opinions about what former topics should be reviewed, as well as which new subjects should be covered in the training course. The health coordinator also visited many former trainees in Shan State, to observe how we are working in our communities as well as talk with villagers about their needs.

What I like about the SWAN special

health training sessions is that they are very practical in nature. Once we complete the course, we are expected to return immediately to our respective communities to conduct follow-up activities, which include conducting health surveys, providing health education and family planning services, and more recently to initiate a nutritional surveillance program for children under five. SWAN produces many Shan language health educational materials, such as flipcharts, demonstration kits, posters and videos, to help us provide information to community members.

For the past two years my friends and I have made family planning services more readily available in our communities. This has within a short time greatly reduced the high levels of maternal, infant, and early childhood mortality in our villages. We are very proud of our accomplishment. We are also very happy to help empower local women to be able to decide, for themselves, the number of children that they wish to have, and the timing of these events. This enables women to become pregnant only when they wish to be, as well as avoid becoming pregnant if they are not ready to do so; whether for health or other reasons.

I think the most important benefit I have gained from working with SWAN is self-confidence. I used to be very shy, but now I am eager to ask questions at all times, and feel comfortable going before an audience of village leaders or community members, to talk to them about their health problems and discuss ways we can work together to resolve some of the important health and other development issues in our community. ■

# Deep-rooted gender discrimination

In Burma there are increasing numbers of organizations working on gender issues, and greater participation of women in political organizations and parties. However, there are still far fewer numbers of women than men in decision making bodies at all levels. This is largely a result of traditional gender discrimination, entrenched in cultural attitudes, practices and customary laws among different ethnic communities.

In rural Shan areas, discrimination begins at birth. Most Shan are Buddhists, for whom the ordination of sons as novices is an extremely important event. The birth of a daughter is therefore always tinged with disappointment, as there is no similar merit-making ritual for girls. The ability of boys from poor families to ordain also gives them an opportunity to study in the monastic education system, which is not available to girls.

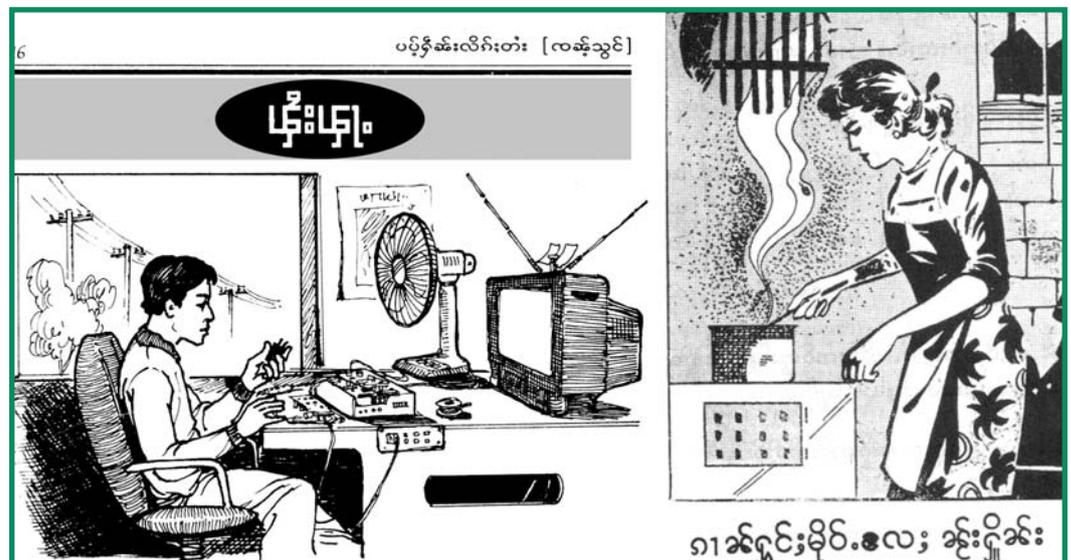
From an early age, daughters are taught to be responsible for cooking, washing clothes, cleaning the house, and other household chores. Even if parents can afford to send their daughter to attend a local school, many are reluctant to send their daughters away for further education in towns, due to the costs of lodging and concerns for their daughter's security away from home. Parents will focus on sons to complete higher education rather than daughters, as most parents think that girls only need enough education to be able to read and

write. If a daughter gets a degree, it is presumed that she can do nothing with it except clean the dust from the graduation photo.

Women that manage to study at university or start working independently outside the community are viewed negatively, as if they are overstepping their role. People will criticize their ability, saying "they can't work like men." This reflects the local saying, common in Shan as well as Burmese:

if a pregnant woman looking to buy something asks the price without buying, the seller believes this will bring bad luck for the rest of the day and will not be happy with the woman. Similarly, taxis do not want to drive a pregnant woman on the road as their first customer as this is also seen as bad luck.

Single mothers suffer far worse. If a single mother delivers her baby, and people do not know who the baby's father is, this is regarded as



**Gender stereotyping in Shan text book**

"If hens crow in the morning, daytime will never come." People believe that if women lead, nothing will get done.

In villages, it is only men who are recognized as having leadership and decision making capabilities. For example, in any social event, women's duties are in the kitchen, cooking, washing up and preparing dessert, whilst men host guests and talk with them in front of the ceremony.

Women's reproductive role is not accorded respect, and pregnant women suffer from various discriminatory beliefs. For example,

extreme bad luck, and she may even be driven out of the village, and her family and relatives will also be blamed. In some cases, the mother of the new born child must organize a ceremony to apologize to the village and provide compensation.

For any women who deliver babies, for one month after the birth, men will not visit them, as the bloody process of birth is regarded as "unclean." At the end of this month, the mother must visit the house of each woman who visited her to wash their hands as a symbol of gratitude for the visit, representing the washing away of the "unclean" blood.

The “impure” reproductive role of women is one of the reasons why women are accorded inferior status in Buddhist practice. Women are forbidden from entering certain sacred areas of Buddhist temples, and are deprived of the opportunity to stick gold on Buddha images, an important merit-making custom.

In most rural Shan villages, village leaders and elders use customary laws to deal with local community problems. As these elders are almost all men, their decisions reflect prevailing gender prejudices. For example, in cases of rape, there is a tendency to blame the woman for wearing revealing clothing or going out alone. In many cases, the community leaders encourage the rapist and the victim to get married without asking the woman if she

wants to marry or if she wants justice.

In addition, customary laws on divorce are highly favorable towards men. If a husband takes a minor wife, his first wife has no right to divorce her husband. She has to be tolerant and stay with her husband. There is no social stigma against men having several wives, as shown in the common Burmese saying: “a good man can own a thousand women”. Women are encouraged not to ask for a divorce as they will be looked down upon by the community for choosing divorce instead of training the man to be a good husband.

On the other hand, if the wife takes a lover, she will have to divorce her husband without being able to claim

any property. In the case of a divorce in which children are involved, parents must follow their children’s decision on who to live with after divorce. In most cases, this will be with the mother, but this can be without any support from the father as there are no rules on how to support the children - it depends on whether the father can or wants to offer any support.

These engrained attitudes and practices clearly discriminate against women, and need to be changed if we are to promote equality in our society. Awareness raising and education about these issues at the community level are key to addressing the problem. ■

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trust and a sense of responsibility develop. They engage in activities such as games, exercises and meditation. Through meeting and sharing together, the women gain increasing confidence and also public speaking skills.

The exchanges also offer opportunities for women to develop their education and independence. They learn about reproductive health, family planning and discuss issues of sexual violence - violence so common that it has become ‘normal’. Women’s exchanges help women to see that they do not have to accept violence as part of their ‘culture’ but that they can stand up for themselves in spite of this culture. They also can attend summer literacy classes where they study hard juggling their homework with the never ending tasks of running a household.

In ten years we have witnessed dramatic changes in the participants’ lives. Women who were at first too shy to say their name, have become teachers and leaders able to build their communities and speak out about issues collectively. Women have organized events such as International Women’s Day, Stop Violence Against Women Day and International Day of Peace. On these days, the women become part of a network of international women and see how women worldwide are fighting for their rights. We invite community leaders and religious leaders to participate. The initially shy women have gained so much confidence that they are able to speak out on a stage in front of a large audience.

These events have become so successful that they are not just encouraging women but also bring

the whole community together. The occasion is celebrated by all with jokes and competitions involving everyone. Men have overcome tradition and played games of football against a team of women - who tactically fed them plenty of food before the game! It is a festive occasion always with the focus on the rights of the women. Through unifying women they are able to strengthen each other and appreciate the importance of their role of building their family and community.

The success of women’s exchanges on the border is now being replicated inside Shan state. New women’s exchange groups are being set up, as well as new women’s organizations.

Although women’s exchanges begin as just small groupings, they are powerful - like a candle light, a beacon for other women’s lives. ■

## Empowerment through women's exchanges



A woman enters a room. She is too scared even to speak her own name in front of the group. For years she has suffered abuse without complaint. She believes instead she should be patient and endure because it is somehow her fault. However, after a few visits to the women's exchange, she will realize that inequality has become wrongly but deeply engrained in her culture.

Her mindset will change. As she grows in confidence and listens to teachings, she will also build friendships and discuss her own and other women's issues. Eventually, she will feel empowered to speak out against abuses in her community. She has the potential to become a strong leader.

SWAN has successfully organized women's exchange meetings like

this along the Thai-Burma border for ten years. At a women's exchange the women are introduced to SWAN as an organization and its objectives. The women's exchange is a chance to share stories and be listened to. If they want to talk or cry or sit and reflect, they have a place for women to relax and open up to express themselves without judgment. As they meet together more, friendships,

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## Shan Women's Action Network

P.O. Box 120, Phrasing Post Office, Chiang Mai 50205, Thailand

E-Mail: [kenneri@shanwomen.org](mailto:kenneri@shanwomen.org)

[www.shanwomen.org](http://www.shanwomen.org)